

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**FILED**

SEP 22 2009

By DAVID CREWS, CLERK
DeputySamuel Ingram

Plaintiff

CASE NO.

1:09CV241-BDLee County Circuit Court
Lee County Adult Jail
Lee County Sheriff Dept

Defendant

PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

Samuel Ingram

B. Name under which sentenced:

C. Inmate identification number:

428-88-1213

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

Tupelo Lee County Adult Jail
510 North Commerce St

E. Place of confinement:

Tupelo MS, 38804

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

Jim H. Johnson

Title (Superintendent, Sheriff, etc.):

Lee County Sheriff

Defendant's mailing address (street or post office box number, city, state, ZIP)

510 North Commerce St
Tupelo MS, 38804

Name: Joyce R. LottinTitle (Superintendent, Sheriff, etc.): Circuit clerkDefendant's mailing address (street or post office box number, city, state, ZIP) P.O. Box 762 Jefferson St
Tupelo MS, 38804Name: District AttorneyTitle (Superintendent, Sheriff, etc.): John R. YoungDefendant's mailing address (street or post office box number, city, state, ZIP) P.O. Box 7237
Tupelo MS, 38804Name: Tony CarletonTitle (Superintendent, Sheriff, etc.): Lee County adult Jail CommissionerDefendant's mailing address (street or post office box number, city, state, ZIP) 510 North Commerce St
Tupelo MS, 38804

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☐ Yes ☒ No

4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s): _____

Defendant(s): _____

B. Court: _____

C. Docket No.: _____

D. Judge's Name: _____

E. Date suit filed: _____

F. Date decided: _____

G. Result (affirmed, reversed, etc.): _____

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☒ Yes ☐ No
6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). ☒ Yes ☐ No
7. If you checked "Yes" in Question 6, answer the following questions:

A. Does the grievance system place a limit on the time within which a grievance must be presented? ☐ Yes ☒ No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed? ☐ Yes ☒ No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

Lee County Sheriff Department On 10-2-08 I Samuel Ingram was arrested and charged with grand Larceny. The value of alleged property taken was valued at \$250.00 this property wasn't found at my place of residence nor was it found in my possession nor was there any witness that stated that they witnessed me at the scene of the crime nor was I mentioned as a suspect or description of me in the official police report. The Investigator assigned to this case waited 72 hours before investigating the alleged theft.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

Case then came and informed me that I had been identified from a line up which I know was influenced by my past background with Lee County. Since this time I have been incarcerated for the past 11 months without an indictment or any other motion brought against me. I wrote Circuit clerk Joyce R. Loftin as well as District Attorney John R. Young requesting a speedy trial which is a right guaranteed me in the constitution but I was denied this "right" by both parties. Therefore I'm writing you to request that my right to a speedy trial be guaranteed.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

by the Constitution.

9. Write below, as briefly as possible, the **facts** of your case. Describe how **each** Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

*Jim H. Johnson Lee county Sheriff Dept
Arrested plaintiff 10-2-08 510 N Commerce
St Tupelo MS, 38804*

*Joyce R. Loftin Lee county Circuit Court
denide fast and speedy trial P.O. Box
762 Jefferson St Tupelo MS, 38804*

*John R. Young District Attorney denide
fast and speedy trial P.O. Box 7237
Tupelo MS, 38804*

*Tony Carlton Commissioner of Correction
Lee County adult Jail 510 North Commerce
St Tupelo MS, 38804 pain as suffering,
monetary Damages*

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

relieving the stress I'm under due to false
allegations this in turn will allow me to return
into society and continue to be a productive
member. I sincerely and humbly pray that court
grant with expedience to make a diligent
and good faith effort, and monetary damages

This Complaint was executed at (location): _____

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: 8/24/09

Samuel Ingram
Plaintiff's Signature

LEE County Adult Jail Monetary Damages

On 8/16/09, I was in my cell when the door opened, for some reason pod Tower opened it so I went to the innercom and tried to find out what was happening I press the button trying to speak to the tower but did not get any response, I was not aware that a lock down inmate a Casey Smith was hiding behind the shower wall, before I could return to my cell this inmate rushed at me and punched me in the jaw the officer Goree did not try and stop this inmate, I was being physically attacked for what seemed about maybe five minutes until the other officer came and stopped it afterward officer Goree came back to F-pod and was laughing with the inmates in cell #7 about the incident. after the brutally attack it cause me to suffer from sever headaches as well as constant blurred vision so I filled a medical form to the nurse MS Dorthy stating on the night of Tuesday 8/18/09 I was brutally attacked by another inmate at which time I was struck in the head as well as the temple area Numerous Times. since This happed I've been having very Sever headaches as well as constant blurred vision but it wasn't took into consideration until Saturday night when the officer came around with the medication cart to pass out daily med's when they open my cell door I was lying on the floor in pain unable to move so the parametric's were called when they arrived I told them about the Condition's I was took to Lee County North mississippi hospital to be examine

there were know fraction's found just Sevor pain
and constant blurred vision reports are at the
Hospital and Lee County adult Jail. Charges
were brought against Casey Smith in Lee
County Justice Court by the honorable Judge
Ricky Thomas for Simple Assault. reports
are at the Lee County adult Jail and Lee County
Justice Court.

Tony Carleton Commissioner
Lee County adult Jail
510 North Commerce St
Tupelo MS, 38804

IN THE CIRCUIT COURT, LEE CO. MISSISSIPPI

State of Mississippi

Plaintiff

VS

Samuel Ingram

Defendant

Petition For a Fast and Speedy Trial

Comes now the defendant Samuel Ingram acting as prose to request of this honorable court, to consider and grant said petition that would be favorable to both the court and to the defendant, without even waiving Jurisdiction to this honorable court at any time and only appearing in said court to defend my liberty, in hopes of proceeding from this situation so i may be able to return to my resposibility in life hereby humble petition said court for a fast and Speedy trail, and that I Show and cite the following to show to wit Oressionnie v. state 317 So 2d 289 (ms. 2001) in that i would like to show a willingness to waive extradition for a speedy trial that is guaranteed to myself by 1967 constitution Amendment 6. @ Smith v. Hoey 3as U.S. 374, 383, 384

3 Since violation of the Speedy Trial Act

1) Criminal Key law # 577.8 (2)
the "Constitutional Speedy Trial clock"
begins to run from the date of arrest
U.S.C.A Const. Amend 6

2) Criminal Key law # 577.15 (1)
A delay of eight months or longer is
presumptively prejudicial for Speedy Trial
purposes. U.S.C.A Const. Amend 6

3) Criminal Key law # 118)
defendant claiming that he was denied due
process in not being brought to trial
within 270 days of such arrest

Statutory Speedy Trial violations are measured
from the date of arraignment. Miss. Code Ann.
§ 99-17-1 (Rev 2006)

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Supreme ct. 575, 21 LEB 2d 607 (1961) that once
a defendant remains in a state's jurisdiction
that state has a constitutional duty to make a diligent
and good faith effort to bring prisoner for trial.
3 Jones v. State, 250 MS 326, 164, 50 3d 1969

I Sincerely and humbly pray that my petition will
be filed and granted with expedience and without
prejudice to both benefit the public and defendant

A copy of this petition was sent also to the clerk
and District Attorney for proper filing

Respectfully

Samuel Ingram

Typico MS. 38804

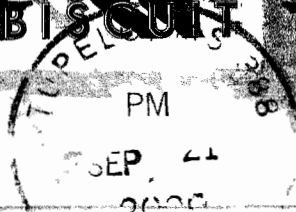
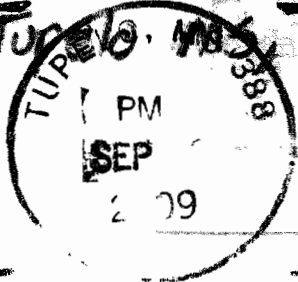
Witness and Subscribed this the July 24, 2009
day for _____, 2009 given under my hand
and seal

Veronica Nabors
NOTARY PUBLIC
STATE OF MISSISSIPPI
VERONICA NABORS
ID NO. 77127
Commission Expires
3/27/2013
NOTARY PUBLIC
LEE COUNTY

Lee County Adult Jail
Samuel Ingram

510 North Commerce St

Tupelo, MS 38804



RECEIVED

SEP 22 2009

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI

INMATE MAIL
LEE COUNTY SHERIFF'S DEPARTMENT
TUPELO, MS

Pro se law clerk U.S District
Post office Box 704
Aberdeen, Mississippi 39